

MINUTE ITEM

This Calendar Item No. C14  
was approved as Minute Item  
No. 14 by the State Lands  
Commission by a vote of 3  
to 0 at its 5/26/77  
meeting.

CALENDAR ITEM

C14.

5/77  
WP 4408  
AMB  
PRC 4408  
PRC 5329

GRAZING LEASE FOR 9,434.45 ACRES OF VACANT  
SCHOOL LANDS LOCATED IN LASSEN COUNTY

By application dated September 24, 1975, James R. Clark and Zetta H. Clark of Belmont, California applied for a lease of State lands located in Lassen County. At the time of filing, the Clark's were negotiating to purchase the Diaz family ranch property situated near Litchfield, California.

An application dated March 11, 1975, filed by Frank Diaz and Juliana Diaz to replace Lease PRC 4408.2 issued to Diaz Brothers, which expired July 27, 1974, was being processed. The Diaz's application for grazing included the 2,320.59 acres originally in expired Lease PRC 4408.2, plus an additional 4,882.76 acres of school lands which were available for lease.

Additionally, Lease PRC 3912.2, a grazing lease embracing 2,231.10 acres of school lands, issued to Diaz Brothers was in full force and effect with expiration date of February 28, 1978. The aggregate total area of school lands embraced in the above-mentioned grazing leases to be replaced, plus additional available lands and the active identified grazing lease is 9,434.45 acres, all in Lassen County.

The sale and transfer of ownership of the Diaz family ranch property to the Clark's occurred on or about March 1, 1976. The Clark's advised thereafter they desired to lease all of the 9,434.45 acres of school lands, the legal descriptions of which are listed in Exhibit "A" attached hereto.

An executed Lease Quitclaim Deed from Benito Diaz and Felix F. Diaz, Jr., dba Diaz Brothers, for their relinquishments of right, claim or interest pursuant to Lease PRC 3912.2 was received on November 17, 1976. On December 15, 1976, the Commission authorized acceptance of this quitclaim deed for termination of said Lease PRC 3912.2 (Minute Item No. 20). This action removed the encumbrance on 5 school land parcels involved containing 2,231.10 acres.

LOCATION: Northeastly of Litchfield, bounded on the south by Little Mud Flat, on the west by the S.P.R.R., on the north by Spanish Springs Peak and on the east by the California-Nevada State boundary.

PROPOSED USE: Grazing.

A 1  
S 1

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TERM OF PROPOSED LEASE:

10 years commencing May 1, 1977.

Public liability insurance: \$50,000 per occurrence for bodily injury and \$50,000 for property damage or \$100,000 combined single limit.

Consideration: \$849.10 per annum. \$849.10 for the first year's rental has been submitted by the applicants.

BASIS FOR CONSIDERATION:

An appraisal by the staff on November 15, 1976 indicates the fair grazing rental to be \$0.09 per acre per year, for a total annual rental of \$849.10.

PREREQUISITE TERMS, FEES AND EXPENSES:

The \$25 filing fee and a \$300 deposit toward environmental costs have been remitted by the applicant.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. In accordance with the State Guidelines for Implementation of the California Environmental Quality Act of 1970, an environmental impact report need not be prepared for this activity as such report is not required under the provisions of PRC 21085, 14 Cal. Adm. Code 15100 et seq., and 2 Cal. Adm. Code 2907, Class 4(a).
2. This project is situated on State lands identified as possessing significant environmental values pursuant to Public Resources Code 6370.1 and the NE 1/4 of Section 19, T31N, R16E, and the NE 1/4 of Section 36, T32N, R15E, MDM, are classified in a significant use category, Class B, which authorizes limited use.

Staff review indicates that there will be no significant effect upon the identified environmental values. An archaeological field study was undertaken on these 2 parcels. Staff review indicates that mitigation, if required, should await

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further study of the entire area for archaeological resources to determine if grazing leases are adversely affecting these resource areas. Such a study is to be undertaken by the Bureau of Land Management for the Cal-Nev Planning Unit in 1979, followed by an Environmental Impact Statement in 1981.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907, CLASS 4(A).
2. FIND THAT GRANTING OF THE PERMIT OR LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO JAMES ROBERT CLARK AND ZETTA H. CLARK OF A 10-YEAR GRAZING LEASE, EMBRACING 9,434.45 ACRES OF SCHOOL LANDS LOCATED IN LASSEN COUNTY, FROM MAY 1, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$849.10; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$50,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE, OR \$100,000 COMBINED SINGLE LIMIT; FOR THE FIRST YEAR'S RENTAL IN THE AMOUNT OF \$849.10 HAVING BEEN PAID FOR THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4408.

Various parcels of California State School Lands, situated in Lassen County California, described as follows:

Section 16, T30N, R16E, MDM; S 1/2 of the SW 1/4 of Section 21, the SE 1/4 of the SE 1/4 of Section 24, the NE 1/4 of the NE 1/4 of Section 25, Section 28, the E 1/2 of Section 32, Section 33, Section 34 excepting 49.48 acres embraced in right-of-way to the Division of Highways, and Section 36, T31N, R15E, MDM,

The E 1/2 of the SW 1/4 and the SE 1/4 of Section 7, Section 16, the SW 1/4 of the NW 1/4 of Section 17, the E 1/2 of the NW 1/4, the NE 1/4 of the SW 1/4, the NE 1/4, and the W 1/2 of the SE 1/4 of Section 18, the SE 1/4 of the NW 1/4, the NE 1/4, and the SW 1/4 of the SW 1/4 (Lot 4) of Section 19, the W 1/2 of the NW 1/4 of Section 20, Lot 1 of Section 30, and the N 1/2 of Section 36, T31N, R16E, MDM;

The W 1/2 and Lots 1 through 4 of Section 36, T31N, R17E, MDM;

Section 36, T32N, R15E, MDM; Section 16, and the W 1/2 and Lots 1 through 4, T32N, R17E, MDM;

Section 36, T33N, R15E, MDM;

Section 16 and the W 1/2 and Lots 1 through 4 of Section 36, T33N, R17E, MDM.

Containing 9434.45 acres, more or less.

END OF DESCRIPTION

Prepared

*M. J. Hall*

Checked

*R. N. Hill*

Reviewed

*Det. Gunnecke*

Date

*4/4/77*